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Filed Electronically

May 23, 2007

Honorable Harold Baer, Jr.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Kesse v. Courier Car Rental
Index No.: 07CV3550
D/A: 10/17/00
Our File No.: 5252d-D

Dear Honorable Sir:

This law firm represents defendants COURIER CAR RENTAL INC. and MURAHAMI KAZUHIRO in the above captioned lawsuit.

Enclosed herewith please find a Stipulation, agreed on consent of the parties capping plaintiff's damages to \$75,000 and remanding this matter to the Supreme Court of the State of New York, Bronx County.

Thank you for your attention to this matter.

Respectfully submitted,
Galvano & Xanthakis, P.C.

By:



Kyle S. Edmonds, Esq. (8442)

KSE:hs

Hon. Harold Baer, Jr.

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May 23, 2007

CC: Harold Chetrick, PC
Attorney(s) for Plaintiff
The Lincoln Building
60 East 42nd Street
Suite 445
New York, N.Y. 10165-0445
212-557-5830

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES KESSE

X

Filed Electronically

07 CV 3550

Plaintiff,

-against-

COURIER CAR RENTAL INC. and
MURAHAMI KAZUHIRO,

STIPULATION

Supreme Court, Bronx County
Index No.13564/07

Defendants

X

IT IS HEREBY STIPULATED by and between the undersigned parties as follows:

1. That the maximum amount of damages which plaintiff may claim and/or be awarded is Seventy-Five Thousand Dollars. Plaintiff waives all rights to seek damages in excess of Seventy-Five Thousand Dollars.
2. That plaintiff, pursuant to CPLR 3017(c), seeks damages of \$75,000 and waives all rights within the CPLR to seek an amendment and/or supplement to the damages to which he deems himself entitled.
3. That plaintiff hereby waives any and all rights to seek an increase to the ad damnum clause in the complaint in excess of Seventy-Five Thousand Dollars.
4. That the matter is remanded to the Supreme Court of the State of New York, Bronx County.

Dated: New York, New York
May 21, 2007

Kyle J. Edmonds

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